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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/574,216

03/31/2006

Tomohito Ota

040302-0559

7918

22428 7590 07/10/2009
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EXAMINER

MCCLENDON, SANZA L

ART UNIT

PAPER NUMBER

1796

MAIL DATE

DELIVERY MODE

07/10/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of Allowability

Application No.

10/574,216

Applicant(s)

OTA ET AL.

Examiner

Art Unit

Sanza L. McClendon

1796

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 02/10/2009.
2. ☒ The allowed claim(s) is/are 1-7.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other ____. |

Supplemental DETAILED ACTION

Examiner's Remarks

1. This office action is being sent to applicant to correct the number of allowed claims. The previous office action, Notice of Allowance, mailed 04/03/2009 stated claims 1-11 are allowed, however there are only claims 1-7 in the case. This was an over cite by the examiner. The reasons for allowance remain the same. The only change to this office action is the number of claims allowed. Please find the corrected action below.

Response to Amendment

1. In response to the Amendment received on February 10, 2008, the examiner has carefully considered the amendments.

Terminal Disclaimer

2. The terminal disclaimer filed on February 10, 2008 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of commonly owned US Patent No. 6,884,827 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Response to Arguments

3. Applicant's arguments, see Remarks/Amendment, filed 02/10/2009, with respect to claims 1-7 have been fully considered and are persuasive. The rejection of claims 1-7 under 35 USC 1032(a) as being unpatentable over JP2004-331814 to Yamamoto et al in view of Matsumoto et al (JP06-051679) as evidenced by Salvoy Advanced Polymer, LLC product data sheet has been withdrawn. Applicant has filed a certified translation of the foreign priority document, perfecting the effective date of October 2, 2003. And as such JP2004-331814 to Yamamoto et al is not available as prior art against the instant claims.

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4. Additionally, the rejection of claims 1-7 under 35 USC 1032(a) as being unpatentable over Ota et al (US 2004/0082701) in view of Fukunaga et al (5,428,096) and Matsumoto et al (JP06-051679) has been withdrawn. In view of applicant's perfected dated Ota et al is not available as prior art against the instant claims. Therefore the instant invention is allowable over the cited art.

Allowable Subject Matter

5. Claims 1-7 are allowed.

6. The following is an examiner's statement of reasons for allowance: The prior teaches irradiation of fluororesins with actinic radiation, such as gamma, electron beam, UV and the like; as well as, teaching mixtures of irradiated fluororesins with non-irradiate fluororesins. However, the prior art fails to teach, alone or in combination, seal rings obtained from mixtures of non-irradiated fluororesins and irradiated fluororesins with synthetic resins having the instant claimed surface energy for sealing operating oil hermetically or hydraulic seal devices. Wherein said irradiated fluororesin was irradiated with ionizing radiation while being heated up to the melting point thereof or higher in an inert atmosphere

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanza L. McClendon whose telephone number is (571) 272-1074. The examiner can normally be reached on Monday through Friday 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on (571) 272-1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sanza L McClendon/
Primary Examiner,
Art Unit 1796

SMc